



Kashmir Freedom Movement (KFM)

E-mail: kfm786@gmail.com Web: www.kfmovement.org

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Pakistan plans to change the territorial status of Gilgit-Baltistan.

The de-facto annexation of these areas of Jammu and Kashmir by Pakistan will violate UN Security Council Resolutions.

Introduction

The State of Jammu & Kashmir, which includes Kashmir valley, Ladakh, Jammu, Azad Jammu Kashmir, and Gilgit-Baltistan, is a single sovereign geographic entity and is a disputed territory under International law.

Gilgit Baltistan is one of the regions of the State of Jammu and Kashmir which is under direct control and administration of the Government of Pakistan since 1949. Recently, following the footsteps of the Indian ruling party, Bhartiya Janta Party (BJP), a Pakistani political party Baluchistan Awami Party (BAP) which is an ally of Tehreek -e- Insaaf, the ruling party in Pakistan, has introduced a bill in the Senate of Pakistan on Monday 28th February 2022 for the annexation of Gilgit Baltistan as a pseudo provisional province of Pakistan by amending Article -1 of the Constitution of Pakistan.

If this bill goes ahead, it will ipso facto bring Pakistan's position vis-a-vis the State of Jammu and Kashmir squarely equal to the actions taken by the Indian Government through its Parliament on 5th August 2019: bringing Indian administered Jammu and Kashmir under direct occupation and making it a Union Territory of India.

Therefore, any unilateral decision by Pakistan to declare the Gilgit Baltistan territory a provisional province will be a "material change in the situation" and will be deemed as a violation of the UN Security Council Resolution [S/651] 38 (1948). A potential breach and flagrant violation of the UN Security Council Resolutions on Jammu and Kashmir by the Government of Pakistan and its failures to discharge the responsibilities under the UN mechanism vis-à-vis Gilgit Baltistan and Azad Jammu and Kashmir.

The critical concerns of the people of Gilgit and Baltistan and Jammu and Kashmir

The overwhelming majority of the political leadership of Gilgit Baltistan and Azad Jammu and Kashmir has rejected the move by a Pakistani establishment sponsored political party from Baluchistan for constitutional amendments to annex Gilgit Baltistan by making it a pseudo provisional 5th Province of Pakistan. Because any further alterations or changes are not acceptable to the people of the State of Jammu Kashmir until they have been provided with an opportunity to exercise the right of self-determination to decide the future course of their State's national political sovereignty.

The Kashmir Freedom Movement (KFM) and the people of Jammu Kashmir are deeply concerned about Pakistan's colonial practices towards the people of Gilgit Baltistan. Unfortunately, the proposed "Constitution (Amendment) Act 2022 would impair the Government of Pakistan in discharging her responsibilities under the UN Security Council's resolutions on Jammu and Kashmir in general and the UN mechanism for decentralised governance with regards to Gilgit-Baltistan and AJK in particular. Therefore, granting rights in lieu of the annexation is an admission of failure to discharge Trust obligations.



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The KFM believes that the Govt. of Pakistan is taking this illegal action to protect Chinese Corporate interests by dovetailing Indian actions taken on 5th August 2019 vis-à-vis Jammu and Kashmir. Furthermore, enable the Chinese Government to permanently enact Article 6 of the People's Republic of China-Pakistan Agreement on the Boundary Between China's Sinkiang and the Contiguous Areas signed on 2nd March 1963

The people of Azad Jammu Kashmir and Gilgit Baltistan consider the existing governance arrangements in Gilgit Baltistan as a draconian colonial mechanism of overbearing control, oppression, and subjugation through the Karachi Agreement of 28th April 1949 between AJK and Pakistan regarding Gilgit-Baltistan.

The ongoing socio-economic and political oppression is well documented in the UN High Commissioner for Human Rights 'Report on the Situation of Human Rights in Kashmir (14th June 2018 and 8th July 2019) and the EU Committee on Foreign Affairs Report (A6-0158/2007) – Kashmir: Present Situation and Future Prospects. Therefore, it is a need to the hour that the Govt. of Pakistan revisit its policies viz-a-viz Gilgit-Baltistan and AJK.

The way forward and critical demands of the people of Gilgit Baltistan and AJK.

The people of Gilgit Baltistan and AJK are striving for democratic and decentralised governance and internal sovereignty within Gilgit Baltistan and AJK until a plebiscite is held under the auspices of the UN for the exercise of the right of self-determination within all the regions of the State of Jammu and Kashmir. Therefore, we suggest that Pakistan should demonstrate that the Govt of Pakistan respects the territorial integrity of the State of Jammu and Kashmir and the right to ownership, decentralised governance and internal sovereignty of the people of Gilgit Baltistan and AJK. As actions speak louder than words, we ask the Government of Pakistan to show its solidarity with the people of the State of Jammu and Kashmir by;

- 1. Respecting and implementing the UN mechanism in its letter and spirit within Gilgit Baltistan and AJK as recommended in the UN Security Council resolutions.**
- 2. Restoring the Jammu and Kashmir State Subject rules (20th April 1927) in Gilgit Baltistan with immediate effect and stop engineering demographic change in Gilgit Baltistan.**
- 3. Engaging in meaningful dialogue with all political parties and civil society representatives within Gilgit-Baltistan and Azad Jammu Kashmir to establish decentralised Governance systems.**
- 4. Establishing equitable relations between the Government of Pakistan and governments in the AJK and Gilgit Baltistan until the final resolution of the J&K conflict.**
- 5. Giving full representation to the people of Gilgit-Baltistan and AJK on the China-Pakistan Joint committee for the CPEC project.**
- 6. Completing the Muzaffarabad – Neelum – Astore road as a priority in the first phase of the CPEC project and reopening Ashkoman to Tajikistan and Skardu to Kargil roads.**



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7. Constructing a new Mirpur Airport and expanding the Gilgit, Muzaffarabad and Rawalakot airports and opening them for international flights to enhance international tourism in the region.
8. Upgrading the proposed Mirpur – Poonch - Muzaffarabad highway to the motorway to unlock economic regeneration and ensure equal opportunities for all the regions of GB and AJK.
9. Furthermore, give the whole of the Gilgit Baltistan and AJK a tax-free zone status and allow access to direct international trade and investment.
10. Release all political prisoners in Gilgit Baltistan with immediate effect and allow the freedom of movement for the political workers across GB and AJK to freely participate in the political activities for the reunification and liberation of the State of J&K.

How can you help restore the people's dignity and a decentralised system of governance in Gilgit Baltistan and (Azad) Jammu and Kashmir?

The continued suspension of the State of Jammu Kashmir Subjects Rules (20th April 1927) in Gilgit Baltistan undermines the socio-economic and civic rights of the people guaranteed under the United Nations Security Council resolutions.

You can help by;

- Joining the civil society and political leadership of Gilgit Baltistan and (Azad) Jammu and Kashmir unequivocally condemning the Government of Pakistan's lack of sensitivity and prudence thus far in respecting the people's fundamental human rights within Gilgit Baltistan and AJK.
- Make a phone call, write a letter or e-mail to your members of Parliament, and ask them to impress upon the Government of Pakistan to revisit its ill-conceived GB policy and governance system and stop strengthening the illegal occupation by unlawful annexation of GB with Pakistan.
- Speaking up to support the voices of Kashmiris and support the just struggle for the freedom of J&K, respect for the decentralised governance, Internal sovereignty and ownership of the people Gilgit Baltistan and AJK on their land and governance system, and safeguarding J&K from any further illegal division.

Engr. Khalid Parvaiz Butt
President,
Kashmir Freedom Movement,
Head Office: 1, Samani Chowk,
Bhimber, Azad Jammu and Kashmir
E-mail: kfm786@gmail.com
Cell: +92-345-8542309

Ghulam Hussain
Chairman, Foreign Affairs Board
Kashmir Freedom Movement
Leeds, United Kingdom

E-mail: ghulam-hussain@live.com
Tel: +44-7971824526